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Attorney for Plaintiffs
Advanced Multilevel Concepts,
Inc. and Able Direct Marketing

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ADVANCED MULTILEVEL CONCEPTS,)
INC. and ABLE DIRECT MARKETING,)

Plaintiffs,)

vs.)

STALT, INC, HILLARD M. STERLING,)
ESQ., FREEBORN & PETERS LLP and)
DOES 1 through 30, inclusive.)

Defendants.)

CASE NO. 4:11-cv-06679-SC
Assigned for all purposes to:
Hon. Samuel Conti

**STIPULATED REQUEST FOR AN
ORDER EXTENDING TIME TO
RESPOND**

Before: Hon. Samuel Conti

Compliant filed on December 28, 2012

PURSUANT TO CIVIL L.R. 6-2, Plaintiffs Advanced Multilevel Concepts, Inc. and
Able Direct Marketing and Defendants Freeborn & Peters, LLP and Hillard M. Sterling hereby
stipulate, subject to the order of this Court, to extend the time for the filing of Responses to
Motion to Dismiss and Special Motion to Strike from the time now provided as March 26, 2012
to April 11, 2012, and extend accordingly the time for filing of Replies from the time now
provided as April 9, 2012 to April 25, 2012. In support of this request and for the information of
the Court in considering this stipulation the Parties jointly state as follows:

1 **I. REASONS FOR THE REQUESTED ENLARGEMENT OF TIME**

2 On March 12, 2012, Defendants Hillard Sterling and Freeborn & Peters filed a Motion to
3 Dismiss and Motion to Strike Complaint. The Responses are due on March 26, 2012. The
4 Replies are due on April 9, 2012, 14 days after the filing of the Responses instead of 7 days
5 required by the CIVIL L.R. 7-3(c) . On March 13, 2012, Plaintiffs filed a Motion for Partial
6 Judgment on the Pleading against Stalt, pursuant to Fed. R. Civ. P. 12(c). The Response to the
7 12(c) Motion is due on March 27, 2012. The Reply is due on April 3, 2012.

8 With three motions filed consecutively and all scheduled to be heard on May 4, 2012, the
9 parties believe additional time is necessary to prepare the respective Responses and Replies.
10

11 **II. DISCLOSURE OF PREVIOUS TIME MODIFICATIONS**

12 Defendants have previously sought an Ex Parte Application for an extension of time to
13 respond the Complaint on January 25, 2012. The Magistrate Judge granted the extension. On
14 February 24, 2012, the parties filed a stipulated extension of time to respond the Complaint.
15

16 **III. EFFECT OF THE TIME MODIFICATION ON THE SCHEDULE OF THE CASE**

17 On March 7, 2012, Defendant filed Declination To Proceed Before A Magistrate Judge
18 And Request For Reassignment To A United States District Judge. On March 9, 2012, the case
19 was reassigned to this Court. No Order Setting Initial Case Management Conference was entered
20 by this Court yet. The parties' proposed order will not affect the schedule of the case.
21

22 **IV. CONCLUSION**

23 WHEREFORE, the parties respectfully request the court to act favorably upon
24 this stipulation and enter an order extending the time for the filing of Responses to Motion to
25
26
27
28

1 Dismiss and Motion to Strike, and extend accordingly the filing of Replies for sixteen days
2 respectively from the dates now set, as detailed above.
3
4

5 DATED: March 13, 2012
6

7 By: /s/
8 CHAN XU
9 Attorneys for Plaintiffs
10 ADVANCED MULTILEVEL
11 CONCEPTS, INC. and ABLE DIRECT
12 MARKETING
13
14
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16 DATED: March 13, 2012
17

LONG & LEVIT LLP

18 By: /s/
19 JOSEPH P. MCMONIGLE
20 KATHLEEN M. EWINS
21 JOHN B. SULLIVAN
22 Attorneys for Defendants
23 HILLARD M. STERLING, ESQ. and
24 FREEBORN & PETERS, LLP
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**[PROPOSED] ORDER RE:
STIPULATED REQUESTED FOR AN
ORDER CHANGING TIME**

Judge: Hon. Samuel Conti

The above captioned matter, having come before this Court, after consideration of the stipulated request filed in this Court, IT IS HEREBY ORDER that Plaintiffs Advanced Multilevel Concepts, Inc. may have until and including Wednesday, April 11, 2012 to file Responses to Motion to Dismiss and Motion to Strike filed by Defendants, and accordingly, Defendants Freeborn & Peters, LLP and Hillard M. Sterling may have until and including Wednesday, April 25, 2012 to file Replies to Plaintiffs' Responses.

Date: 3/15/12

